

MEMO ENDORSED

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December 8, 2023

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VIA ECF

Hon. Valerie Caproni
United States District Judge for the Southern District of New York
40 Foley Square, Room 240
New York, New York 10007

Re: *Seana Cromitie v. The Fruitful Yield, Inc.*
Docket No.: 1:23-cv-07677-VEC
Our File No. 12070.00752

Dear Judge Caproni:

As you may recall, our firm represents Defendant The Fruitful Yield, Inc. in the above-referenced action. An initial pretrial conference is currently scheduled for December 29, 2023. See, Dkt. No. 5. Given that it is a holiday week, I am out of the office on December 29, 2023 and unable to attend the conference as scheduled. Further, Mr. Bialek is having surgery on his hand today and he is trying to avoid driving long distances or for lengthy periods of time. With the protests and rallies going on, he is also trying to avoid public transportation, if possible. Moreover, we are still in the process of investigating Plaintiff's allegations and are presently engaged in discussions with Plaintiff's counsel regarding whether we can potentially resolve this matter without court intervention. As such, we write to respectfully request that the initial pretrial conference be adjourned for one month, until at least January 29, 2024. We have conferred with Plaintiff's counsel, Mr. Shaker, and it is our understanding he does not object to this request.

We thank the Court for its consideration of this request and attention to this matter.

Respectfully submitted,

WILSON ELSER MOSKOWITZ EDELMAN & DICKER LLP

A handwritten signature in black ink, appearing to read "Natalie Haimson".

Nicole Haimson

cc: all parties, via ECF

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Application GRANTED. The Initial Pretrial Conference scheduled for **December 29, 2023**, is hereby ADJOURNED to **Friday, January 19, 2024**, at **10:00 A.M.** in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007. The parties' joint letter must be filed no later than **January 11, 2024**. For the required content of the joint letter, the parties are directed to Dkt. 5.

SO ORDERED.

12/8/2023


HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE